

Message Text

CONFIDENTIAL

PAGE 01 IAEA V 01113 01 OF 02 111545Z
ACTION IO-13

INFO OCT-01 ISO-00 IOE-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10
ACDA-07 CIAE-00 INR-07 L-03 NSAE-00 NSC-05 EB-08
NRC-05 OES-06 FEAE-00 DODE-00 PM-04 SP-02 SS-15 OIC-02
SAJ-01 OMB-01 TRSE-00 /123 W
-----111745Z 009333 /41

P R 111441Z FEB 77
FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC PRIORITY 8640
INFO USERDA WASHDC
USERDA GERMANTOWN

C O N F I D E N T I A L SECTION 1 OF 2 IAEA VIENNA 1113

PASS IO/SCT

EO 11652: GDS
TAGS: AORG, OCON, IAEA, PARM
SUBJECT: FEBRUARY 22 MEETING OF IAEA BOARD OF GOVERNORS: AGENDA
ITEM 7, AMENDMENT OF ARTICLE VI OF STATUTE

REF: A) IAEA VIENNA 0536, B) STATE 017316, C) IAEA VIENNA
0694
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MARY: ON BASIS OF REACTIONS ELICTED AS RESULT
FURTHER EXTENSIVE CONSULTATIONS HERE, MISSION
STRONGLY RECOMMENDS THAT USDEL TO FEBRUARY MEETING
OF BOARD OF GOVERNORS BE AUTHORIZED TO
EXPRESS ITS OPPOSITION TO PROPOSED REVISION OF IAEA
STATUTE TO EXPAND MEMBERSHIP OF BOARD. END SUMMARY.

1. DURING PAST WEEK, MISSION HAS CONSULTED WITH
LARGE NUMBER OF LOCAL MISSIONS REGARDING THOSE
BOARD AGENDA ITEMS OF PARTICULAR CONCERN TO US,
INCLUDING ITEM CALLING FOR DICSUSSION OF REVISION
OF ARTICLE VI OF STATUTE. THOSE CONSULTATIONS
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PAGE 02 IAEA V 01113 01 OF 02 111545Z

CONFIRM OUR IMPRESSION, REPORTED EARLIER, THAT
THE PROPOSED REVISION ENJOYS LITTLE SUPPORT OUT-
SIDE THE MEMBERSHIP OF THE REGIONS OF AFRICA AND
MIDDLE EAST/ SOUTH ASIA (MESA). THOUGH LACKING
INSTRUCTIONS, ALL MISSIONS CONSULTED THUS FAR (UK,
USSR, FRG, INDIA, CANADA, NETHERLANDS, JAPAN, AUSTRALIA, COLOMBIA,
CHILE, SOUTH AFRICA) REGISTERED REACTIONS RANGING

FROM DISTASTE TO STRONG OPPOSITION. PARTICULARLY OUTSPOKEN AGAINST REVISION WERE REPS OF USSR, UK, NETHERLANDS AND CANADA. CONSENSUS SEEMS TO BE THAT ARGUMENTS PUT FORWARD BY CO-SPONSORE FOR ADDITION OF FIVE SEATS TO BOARD ARE NOT WELL-REASONED AND, IN ANY CASE, DO JUSTIFY A STATUTE REVISION EXERCISE. THERE IS ALSO GENERAL AGREEMENT THAT EXPANSION OF BOARD MEMBERSHIP WOULD UPSET CURRENT DELICATE BALANCE OF INTERESTS REPRESENTED ON BOARD AND THREATEN SMOOTH PERFORMANCE OF ITS WORK.

2. IN FOLLOW-UP TO AMB. SATTAR'S VISIT (REF C), NIGERIAN AMBASSADOR (ADENIJI) CALLED ON ME FEBRUARY 8 TO PRESENT RATHER ILL-REASONED SERIES OF ARGUMENTS ON BEHALF OF STATUTE REVISION. HE SAW NO INCONSISTENCY BETWEEN PROPOSAL TO ADD FIVE SEATS TO BOARD, ON THE ONE HAND, AND WHAT HE ASSURED ME WERE DESIRES OF THE CO-SPONSORES TO MAINTAIN BALANCE OF BOARD BETWEEN DEVELOPED AND DEVELOPING AND DEVELOPING COUNTRIES AND TO PRESERVE BOARD'S EFFICIENCY. PURPOSE OF REVISION, HE NOTED, WAS TO REDRESS "UNDER-

REPRESENTATION" OF TWO AREAS ON BOARD BY APPLICATION OF PRINCIPLE OF "EQUITABLE DISTRIBUTION" OF BOARD SEATS. HE ALSO OBSERVED THAT THERE WAS NO INTENTION TO REVIEW THE DESIGNATED BOARD SEATS. IN RESPONSE TO MY QUERY, ADENIJI THEN EXPLICITLY DENIED ANY INTENTION TO SUGGEST

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PAGE 03 IAEA V 01113 01 OF 02 111545Z

QUID PRO QUO WHEREBY STATUS OF SOUTH AFRICA WOULD BE LEFT UNTOUCHED IN RETURN FOR GENERAL AGREE-

MENT TO ESTABLISH PROPOSED FIVE NEW SEATS. I REITERATED POINTS MADE TO SATTAR EARLIER, ADDING THAT "EQUITABLE" DISTRIBUTION

WAS NOT EASILY DEFINED; IT CLEARLY DID NOT MEAN "EQUAL", AND THAT OTHER FACTORS, SUCH AS FINANCIAL AND OTHER SUPPORT GIVEN THE AGENCY AS WELL AS ADVANCEMENT IN NUCLEAR TECHNOLOGY SHOULD BE GIVEN CONSIDERABLE WEIGHT. I PROVIDED HIM WITH SET OF OUR STATISTICS (WHICH WE HAVE ALSO PROVIDED TO OTHER MISSIONS) REVEALING THAT IN TERMS OF NUMBERS OF BOARD SEATS HELD BY THE EIGHT AREAS, AFRICA RANKED THIRD FROM TOP WITH NORTH AMERICA AT BOTTOM, OCCUPYING ONLY TWO OF

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PAGE 01 IAEA V 01113 02 OF 02 111700Z
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C O N F I D E N T I A L SECTION 2 OF 2 IAEA VIENNA 1113

34 SEATS.

3. SOMEWHAT TO MY SURPRISE, ADENJI STATED THAT AFRICANS, NOT RPT NOT PAKISTANIS, WERE ORIGINATORS OF PROPOSAL TO ABOLISH BAR ON RE-ELECTION TO SAME BOARD CATEGORY UNDER ARTICLE VI. A.2 (A). RATIONALE FOR THIS, HE SAID, LAY IN SCANT AFRICAN REPRESENTATION IN VIENNA AND CONSEQUENT DESIRE TO HAVE FLEXIBILITY, ON OCCASION, TO REELECT SAME AFRICAN MEMBER(S) TO BOARD. HE DID NOT VOLUNTEER ANY EXPLANATION OF HOW THIS RATIONAL MIGHT BE RECONCILED WITH PURPORTED NEED FOR THREE ADDITIONAL AFRICAN SEATS.

4. THERE ARE, THEN, SEVERAL FACTORS TO BE CONSIDERED IN DECIDING ON OUR TACTICS IN DEALING WITH THIS AGENDA ITEM. FIRST. WHILE OUR CONSULTATIONS ARE CONTINUING, THERE IS SUFFICIENT FEEDBACK FROM OTHER MISSIONS TO INDICATE A BROADLY-BASED HOSTILITY AMONG KEY BOARD MEMBERS, INCLUDING THE
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PAGE 02 IAEA V 01113 02 OF 02 111700Z

SOVIETS, TOWARD THE REVISION PROPOSAL FOR REASONS WHICH WE SHARE. SECONDLY, THERE IS GENERAL AGREEMENT THAT THE ARGUMENTS BEING PUT FORWARD ON BEHALF OF REVISIONS ARE INSUPPORTABLE; INDEED THERE APPEARS TO BE A CONSENSUS- ALBEIT IN SOME CASES TACIT- THAT THE CONTRIVED WORDING OF THE "EXPLANATORY MEMORANDUM" ILL CONCEALS A SERIOUS EFFORT BY TH GROUP OF 77" TO SUBJECT THE AGENCY TO ITS WILL AS IT HAS DONE SUCCESSFULLY ELSE-

WHERE. FINALLY, IT IS WORTH NOTING THAT SPOKESMEN FOR THE CO-SPONSORS HAVE LET IT BE KNOWN THAT ALL THEY EXPECT TO ACHIEVE AT THE FEBRUARY BOARD IS A GENERAL DISCUSSION OF THE MATTER RATHER THAN A BOARD DECISION OR RECOMMENDATION. THE LATTER, THEY HAVE SUGGESTED, WOULD BE FOR THE JUNE BOARD TO DECIDE. THE IMPLICATION HERE IS THAT THEIR DECISION TO MAKE A MAJOR EFFORT AT THE GENERAL CONFERENCE TO ENLIST A TWO-THIRDS MAJORITY IN FAVOR OF THEIR PROPOSAL MAY WELL HANG ON THE DEGREE OF ENCOURAGEMENT THEY RECEIVE BEFORE THAT POINT IS REACHED.

5. IN MISSION'S JUDGEMENT, THESE CONSIDERATIONS, TAKEN TOGETHER WITH WHAT WE ALREADY HAVE IDENTIFIED AS THE POSSIBLE IMPACT OF REVISION ON OUR NON-PROLIFERATION INTERESTS, INDICATE THAT OUR INTERESTS WOULD BE BEST SERVED BY EXPRSS- ING CLEARLY AND FORCEFULLY AT THIS EARLY STAGE OF THE GAME OUR STRONG OPPOSITION TO STATUTE REVISION. IT GOES WITHOUT SAYING THAT THE ARGUMENTS PRESENTED BY THE CO-SPONSORS CAN EASILY BE COUNTERED BY DATA WHICH WOULD INDEED RAISE THE QUESTION: WHAT IS EQUITY? THIS APPROACH WOULD HAVE, WE BELIEVE, AMPLE AND POWERFUL SUPPORT. ON THE CONFIDENTIAL

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PAGE 03 IAEA V 01113 02 OF 02 111700Z

OTHER HAND, A CONCILIATORY RESPONSE TO THE REVISION PROPOSAL RUNS THE RISK OF ENCOURAGING THE CO-SPONSORS AND NEEDLESSLY CREATING PROBLEMS FOR US IN ATTEMPTING A BLOCK FAVORABLE ACTION AT THE GENERAL CONFERENE.

6. IT IS TRUE,AS WE HAVE NOTED EARLIER, THAT REGARDLESS OF BOARD ACTION ON THIS PROPOSAL, THE CO-SPONSORS COULD CARRY THE FIGHT TO THE GENERAL CONFERENCE, WHERE THE INFLUENCE OF THE THIRD WORLD IS GREATEST. NONETHELESS, IS AT LEAST

OPEN TO DOUBT THAT A TWO-THIRDS MAJORITY COULD BE MUSTERED GIVEN THE TRADITIONALLY POOR ATTENDANCE BY A LARGE SEGMENT OF THE THIRD WORLD COMPONENT OF THE AGENCY'S MEMBERSHIP. IN SHORT, REGARDLESS OF THE SUBSEQUENT COURSE OF ACTION TAKEN BY THE CO-SPONSORS, MISSION FEELS THAT THE STAKES INVOLVED IN THIS ISSUE ARE SUCH THAT WE HAVE NOTHING TO LOSE AND A FAIR POSSIBILITY OF SUCCESS IN BLOCKING THIS PROPOSAL BY TAKING A FIRM POSTURE OF OPPOSITION TO IT NOW.

7. ACTION: ASSUMING FURTHER CONSULTATIONS CONFIRM ABOVE ASSESSMENT, REQUEST INSTRUCTIONS TO MISSION AUTHORIZING USDEL OPPOSE PROPOSAL FOR REVISION OF ARTICLE VI. STONE

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